

Grant County Planning Commission

June 26th, 2006

The June 26 2006 regular meeting of the Planning Commission was called to order by Chairman John Lawrence at 7:00 p.m.

Those in attendance: John Lawrence, Bill Marksberry, Marlon Kinsey, Howard Brewer, William Covington, Vernon Webster, Barry Hensley, Brooke Rider, Dan Bates, Attorney: Tom Nienaber, Engineer: Ray Erpenbeck, Becky Ruholl

There was a quorum present.

ITEM 1: MINUTES

Howard Brewer made a motion to approve the May meeting minutes, Barry Hensley seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 2: MAY FINANCIAL REPORT

Howard Brewer made a motion to approve the May financial report, Dan Bates seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 3: ADMINISTRATORS REPORT

none

ITEM 4: MAP AMENDMENT - Tim Shaffer

Tom Nienaber explained to the Commission that the vote at the last meeting was a tie vote and the chairman did not vote therefore it was to be forwarded to the Fiscal Court with no recommendation. He said that after reviewing the Commission By-Laws they allow for the Chairman to vote in a tie situation.

Becky Ruholl read the motion from the May 22nd meeting and the roll call vote. John Lawrence voted against the motion. A motion to deny the request will be forwarded to the Fiscal Court.

ITEM 5: MAP AMENDMENT - SMI

APPLICANT: SMI

GENERAL LOCATION: on the north side of Conrad Lane, just east of Ky. St. Rt. 25, Williamstown, KY

REQUEST: Agricultural – One (A-1) to Planned Unit Development (PUD)

Chairman John Lawrence declared the public hearing open and asked if all fees were paid and notices given. Becky Ruholl stated that fees were paid and notices given.

David Wallace, representing the applicant, stated that the request was to rezone the Conrad Farm from A1 to PUD. He said that Dan Eyre and James Bertram from One Eleven Engineers were present to answer any questions. He said that the staff report had referred to the property as not being entirely in the City of Williamstown but the property was entirely within the City Limits and he had discussed this with the office and it was determined that the review was done with the Comprehensive Plan maps which show some of the property in the County but it has all been annexed. He said that the request was for 155 acres with 142 being residential and 13 for commercial. The residential would consist of 183 single family units and 159 town houses. The density is 2.4 units per acre. He said that there would be a club house and pool for the town houses and the project shows 5 lakes in the development. He said that there would be no bi-levels or tri-levels and there would be architectural controls within the subdivision. He presented to the Commission some pictures and floor plans of the types of homes that would be built. He said that this development does comply with the Comprehensive Plan and the Future Land Use Map which says the property should be developed at 0-3 units per acres this is proposed at 2.4 units per acre. He said that this development reserved a majority of the topography of the land and has more than adequate buffering.

Chairman John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Chairman John Lawrence declared the public hearing closed.

William Covington asked if the lakes would be dry or wet areas. Mr. Bertram stated that the lakes would be wet and would have the capacity to handle storm water, he said that they would have walking trails to the lakes areas so that they could be recreation areas and they would be maintained by the Homeowners Association. Vernon Webster asked when the common areas would be handed over to the association. Mr. Wallace said that typically they are not handed over until 80% of the lots are sold but when they are handed over if the developer still owns lots he would be required to pay as any other owner would.

William Covington asked if the green spaces would be developed as the lots go in or wait until the end of the development. Mr. Bertram said that the development would be in phases and the lakes would be developed as each of the phases was designed.

Dan Bates asked how they were going to preserve the existing grave sites. Mr. Bertram said that they would be protected and they have added more area around the existing sites to provide for more sites and also to provide enough buffer to protect the existing areas during construction.

Dan Bates asked what the width of the roads would be. Mr. Bertram said that he believed some were 28 feet wide and minimum would be 25 feet wide.

Howard Brewer said that he was concerned that the lakes would not hold water. Mr. Nienaber said that they could make it a condition that the developer or the home owners association maintain the lakes a wet lakes and if they fail then they would be redone to hold water. Mr. Bertram said that they had engineers that would design the lakes to hold the water correctly and they would make sure that they were maintained at wet lakes.

Brooke Rider asked what the average sizes of the lots were; Mr. Bertram said that it was 12,000 square feet and the lots for the town homes were smaller. Brooke Rider asked if this was going to be developed in phases, Mr. Bertram said it would be in phases and build out would probably be in 5-7 years. Brooke Rider asked if there was only one main entrance to the development, Mr. Bertram said that there were 2 entrances one from Conrad Lane and the other from US 25. Brooke Rider asked if there were any plans to preserve existing green space or landscaping, Mr. Bertram said that the green space areas would be separate lots from the homes and they would be deeded to the homeowners association.

Dan Bates asked if they planned to line the lakes. Mr. Bertram said that they would be lined with clay.

Brooke Rider asked if there were any potential clients for the commercial areas, Mr. Bertram said that they could not release names of any potential clients until they had contracts but that they would all be of the Neighborhood Commercial Uses. Brooke Rider asked if there would be a separate association for the Commercial areas, Mr. Bertram said that there were no common areas in the commercial area. Mr. Wallace said that there would be restriction on the commercial areas and there would be architectural reviews and the site plans would be reviewed by the City.

The Commission questions when the clubhouse and pool for the condos would be built. Mr. Wallace said that the clubhouse and pool would be built when the first condo was built.

Chairman, John Lawrence asked if they were going to build a turn lane on US 25 for the subdivision. Mr. Bertram said that they hadn't done a traffic study but if the state requires one then they would update the plan to show it.

Mr. Nienaber said that he had come up with some conditions that were discussed and they were:

1. Green space and lake areas be maintained by the Home Owners Association or the Developer.
2. The Lakes would be maintained as 'wet' lakes by the Home Owners Association or the Developer and as storm water retention areas.
3. Green spaces would be owned by Home Owners Association to protect the existing vegetation.
4. Commercial Lots would be developed with uses permitted in the Neighborhood Commercial Zone.
5. Conditions and restrictions will be placed on the Commercial lots concerning the architecture and would be reviewed by the architecture review board for the development.
6. Green space in the development would be deeded to the Home Owners Association no later than when the subdivision is 80% developed.
7. The developer will construct several "tot lots" with playground equipment throughout the development.
8. The developer will construct the pool and clubhouse in the multi family section during Phase 1.

June 26, 2006

9. Conrad Lane will be upgraded to meet all requirements in the Grant County Subdivision Regulations.
10. There will be no bi-levels or tri-level homes in the single family section of the development.

Mr. Wallace said that the applicant would agree to all of those conditions.

Howard Brewer made a motion to recommend approval to the City of Williamstown based on the finding of fact presented at the hearing with the following conditions: 1. Green space and lake areas be maintained by the Home Owners Association or the Developer. 2. The Lakes would be maintained as 'wet' lakes by the Home Owners Association or the Developer and as storm water retention areas. 3. Green spaces would be owned by Home Owners Association to protect the existing vegetation. 4. Commercial Lots would be developed with uses permitted in the Neighborhood Commercial Zone. 5. Conditions and restrictions will be placed on the Commercial lots concerning the architecture and would be reviewed by the architecture review board for the development. 6. Green space in the development would be deeded to the Home Owners Association no later than when the subdivision is 80% developed. 7. The developer will construct several "tot lots" with playground equipment throughout the development. 8. The developer will construct the pool and clubhouse in the multi family section during Phase 1. 9. Conrad Lane will be upgraded to meet all requirements in the Grant County Subdivision Regulations. 10. There will be no bi-levels or tri-level homes in the single family section of the development. Bill Marksberry seconded the motion. A roll call vote was taken: Bill Marksberry: yes, Marlon Kinsey: yes, Howard Brewer: yes, William Covington: yes, Vernon Webster: yes, Barry Hensley: yes, Brooke Rider: yes, Dan Bates: yes. Motion passes.

ITEM 6: MAP AMENDMENT - SMI

APPLICANT: SMI

GENERAL LOCATION: on the south side of Ky. St. Rt. 22, approximately 1.5 miles west of Dry Ridge

REQUEST: Residential – Two (R-2) to Residential - Three (R-3)

Chairman John Lawrence declared the public hearing open and asked if all fees were paid and notices given. Becky Ruholl stated that fees were paid and notices given.

Mr. Wallace, representing the applicant, stated that this would be a condominium development. He said that this was 46.8 acres which was currently zone R2 and the request was to rezone the property to R3. He said that the original submission of the concept plan showed 187 units but had been reduced to 178 units to allow for some of the lots to be developed as a pool and clubhouse for the development. He said that by statute condominium owners own from inside wall to inside wall. He said that the structure, the common areas and roof are owned by the home owners association. He said that the development shows a clubhouse, pool, 2 lakes and walking trails. He said that the units would be 1,100 to 1,300 square feet and would be 2 stories with a walkout basement. He said that the staff report was for approval and showed concern with the density. He said that the density of the development would be 3.8 units per acre and with the existing R2 zone they could have 250 single family homes or 200 duplexes which would be a higher density than the proposed 178 condo units. He said that they believe that the request is in compliance with the Comprehensive Plan and there have also been changes in the area such as new zoning ordinance adopted by the City. He said that there is currently water and sewer to the property. He said that not all of the buildings would look alike he said that the plans were for the owners to be able to choose what the front of the buildings would look like. He presented samples of what the condos would look like.

Chairman John Lawrence asked if anyone wished to speak for or against the request.

Dave Schimpf said that he lives on Ellen Kay Drive and he said he was concerned that this development would effect his property values and would add to the congestion. He asked what the selling price would be. Mr. Wallace said they would be in the area of \$160,000.00 to \$200,000.00.

Chairman John Lawrence declared the public hearing closed.

Vernon Webster asked about the sewer. Mr. Bertram said that they were going to have to upgrade to existing pump station to handle the waste. Vernon Webster said that he knew that the existing station was very small. Mr. Bertram said that they would have to make modifications or replace the station to handle the capacity and the developer understood that station would need to be able to handle the capacity and would be upgraded at his expense.

Dan Bates said that he thought that the sewer was at capacity. Mr. Wallace said that initial talks with Williamstown and Dry Ridge had indicated that there was no problem in handling this development but they will not be able to develop the subdivision if they cannot get sewer.

Howard Brewer said that in the last year 3 big subdivisions had been approved based on the fact that they get sewer from Dry Ridge. He said that since this development is already in the City would there be a race to see who gets the sewer first. Mr. Nienaber said that the Commission only recommends to the City and they determine if the sewer treatment is adequate for the development. Mr. Erpenbeck said that before construction the City must have certified with the State that they can treat the sewage and if they cannot handle the sewage then they would not get a permit from the State.

Chairman, John Lawrence asked if they were going to build a turn lane on Highway 22. Mr. Bertram said that they would submit plans to the State to see if they would require a turn lane. Mr. Nienaber said that the Commission can require a turn lane if the State would allow it.

William Covington asked if there was another exit from the subdivision. Mr. Wallace said that the topography of the land would not allow another exit.

Chairman, John Lawrence asked if there was sufficient buffering on the East side of the property. Mr. Bertram said that all the natural vegetation would remain.

Vernon Webster asked if the lakes would be wet or dry. Mr. Bertram said that they would be wet lakes and would probably have a fountain in them to maintain circulation.

Dan Bates asked what the width of the road was. Mr. Bertram said it would be 25feet wide.

Mr. Nienaber said that he had the following conditions:

1. Units would be a minimum of 1,100 square feet.
2. There would be no duplexes in the development.
3. The Club House and Pool would be constructed during phase 1
4. The architectural design of the buildings would be consistent with the sample plans and photographs submitted to the Commission.
5. There would be no "cookie cutter" development
6. The development would have a maximum of 178 unites as shown on the revised concept plan.
7. The Sewer would be upgraded at the cost of the developer as required by the engineer.
8. A deceleration lane or turn lane would be constructed at the cost of the developer if allowed by the Kentucky Department of Transportation.
9. The retention ponds would be maintained by the Home Owners Association as "wet" lakes.

Mr. Wallace said that the applicant agrees to all the conditions.

Vernon Webster made a motion to recommend to the City of Dry Ridge the request from R2 to R3 because it is not in conflict with the Comprehensive Plan and the facts stated in the public hearing with the following conditions: 1. Units would be a minimum of 1,100 square feet. 2. There would be no duplexes in the development. 3. The Club House and Pool would be constructed during phase 1. 4. The architectural design of the buildings would be consistent with the sample plans and photographs submitted to the Commission. 5. There would be no "cookie cutter" development. 6. The development would have a maximum of 178 unites as shown on the revised concept plan. 7. The Sewer would be upgraded at the cost of the developer as required by the engineer. 8. A deceleration lane or turn lane would be constructed at the cost of the developer if allowed by the Kentucky Department of Transportation. 9. The retention ponds would be maintained by the Home Owners Association as "wet" lakes. Howard Brewer seconded the motion. A roll call vote was taken: Bill Marksberry: yes,; Marlon Kinsey: no, Howard Brewer: yes, William Covington: yes, Vernon Webster: yes, Barry Hensley: no, Brooke Rider: no, Dan Bates: no: John Lawrence: yes. Motion passes.

ITEM 7: MAP AMENDMENT - Emerson Rider

APPLICANT: Emerson Rider

June 26, 2006

GENERAL LOCATION: on the northwest side of Barnes Road, 0.4 miles west of Interstate Route #75, Williamstown,

REQUEST: Agricultural – One (A-1) to Residential-One-B (R-1-B)

Chairman John Lawrence declared the public hearing open and asked if all fees were paid and notices given. Becky Ruholl stated that fees were paid and notices given.

Jerry Keith, representing the applicant, stated that the request was for 90.95 acres with 139 single family lots. He said that the original concept plan showed 137 lots but the revised plan now shows 139 lots. He said that there would be a variety of homes built including ranch style homes, 2 story, bi-levels and tri-levels. He said that of the 91 acres 38 acres would remain as green space and maintained by a Home Owners Association and they would have control of the green space. He said that the density is 2.65 units per acres. He said he came up with this number by taking only area of the lots and not the area of the roads or green space which was used in the staff report. He said that the Comprehensive Plan call for low density development and this development is low density. He said that there have also been changes in the area including the new exit on Barnes Road. He said that since most of the traffic from the development would be from the Interstate they do not see a need for a left turn lane.

Chairman John Lawrence asked if anyone wished to speak for or against the request. No one spoke for or against the request.

Chairman John Lawrence declared the public hearing closed.

Chairman, John Lawrence asked if they would build a deceleration lane. Mr. Keith said that they did not see a need for one. Marlon Kinsey said that if property developed on past this development that would create more traffic and then a turn lane would be needed.

Vernon Webster asked about the Sewer. Mr. Keith said that there was a sewer pump at the rear of the property and would be pumped across Barnes Road to the treatment plant.

Vernon Webster asked if they would have to apply to the state for an encroachment off of Barnes Road. Mr. Keith said that it was a City Street and the encroachment would be reviewed by the City.

Chairman, John Lawrence read a letter from the City of Williamstown stating that they Water and Sewer department could handle this development.

Howard Brewer asked if they had a right to ask that a certain number of feet off Barnes Road not be developed because Barnes Road was not always going to be a country road and not have homes near the road would make widening Barnes Road easier. Mr. Keith said that they would agree to dedicate 30 feet from the center of Barnes Road for right-of-way.

William Covington asked what the plans for the green space were. Mr. Keith said that it would be given to the Home Owners Association so that they could develop it as they wanted.

Chairman, John Lawrence asked if they would agree to not allowing atvs on the green space. Mr. Keith said that they would agree to that condition.

Mr. Nienaber said that he had the following conditions:

1. 30 feet from the center of Barnes Road be dedicated as right-of-way.
2. The 38 acres of green space be dedicated to the Home Owners Association when 60% of the lots were sold and there be a condition on the green space that motorized recreational vehicles not be allowed on the green space areas.
3. a right hand deceleration lane be constructed on Barnes Road.

Jerry Keith said that the applicant would agree to those conditions.

Howard Brewer made a motion to recommend to the City of Williamstown approval of the request based on the findings of fact presented at the hearing with the following conditions: 1. 30 feet from the center of Barnes Road be dedicated as right-of-way. 2. The 38 acres of green space be dedicated to the Home Owners Association when 60% of the lots were sold and there be a condition on the green space that motorized recreational vehicles not be allowed on the green space areas. 3. a right hand deceleration lane be constructed on Barnes Road. William Covington seconded the motion. A roll call vote was taken: Bill

June 26, 2006

Marksberry: yes, Marlon Kinsey: yes, Howard Brewer: yes, William Covington: yes, Vernon Webster: yes, Barry Hensley: yes, Brooke Rider: yes, Dan Bates: yes, John Lawrence: yes. Motion passes.

ITEM 8: JAVA JO'S - SITE PLAN

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval with the condition that a front yard variance be granted by the Dry Ridge Board of Adjustments.

Jerry Keith, Engineer, stated that this plat was for a Java Jo's which was a coffee shop. He said that 90 to 95 percent of the business would be drive thru.

Vernon Webster made a motion to approve the plat with the condition that a front yard variance be granted by the Dry Ridge Board of Adjustments, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 9: QUATROS - SITE PLAN

Vernon Webster removed himself from discussion and voting.

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat with the approval of a waiver from the Storm Water Runoff Control requirements in Section 7.E.2.d and 7.E.2.e of The Grant County Subdivision Regulations.

Ray said that the waiver was for the detention requirements and since this was a small lot that was being developed it would not required detention. Logan Murphy, Engineer, said that about 5% of the lot would be disturbed which would not justify a detention area.

Brooke Rider made a motion to approve the plat with the waiver, Dan Bates seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 10: DANA - SITE PLAN

Viox and Viox Engineers stated that the plan showed a proposed addition to the parking lot and addition of 4 or 5 truck docks to the rear of the building. He said that they were adding approximately 1.9 acres of pavement and have provided the required detention area.

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat.

Brooke Rider made a motion to approve the plat, Barry Hensley seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 11: MARK MEADE - SITE PLAN

Logan Murphy, Engineer, stated that the plan showed the existing club house and the proposed pool for Lexington Trails Subdivision.

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat.

Brooke Rider made a motion to approve the plat, Vernon Webster seconded the motion. A hand vote was taken, Bill Marksberry: yes, Marlon Kinsey: yes, Howard Brewer: yes, William Covington: yes, Vernon Webster: yes, Barry Hensley: yes, Brooke Rider: yes, Dan Bates: no. Motion passes.

ITEM 12: TWIN TOWERS SUBDIVISION - PRELIMINARY PLAT

Logan Murphy, Engineer, stated that this plat was in accordance with the zone change and all the conditions by the Commission and the City.

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat.

Brooke Rider made a motion to approve the plat, Howard Brewer seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 13: EAGLE CREEK SUBDIVISION III - FINAL PLAT

Logan Murphy, Engineer, stated that this was the last section of Eagle Creek.

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat.

Brooke Rider made a motion to approve the plat, Bill Marksberry seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

June 26, 2006

ITEM 14: MARINA BAY - FINAL PLAT

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat.

Howard Brewer made a motion to approve the plat, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 15: CONVEYANCE PLATS - MAY

William Covington made a motion to approve the May Conveyances, Vernon Webster seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 16: EXECUTIVE SESSION

none

ITEM 17: OTHER BUSINESS

Chairman, John Lawrence stated that at the next meeting new officers would need to be elected and there needed to be a committee to make recommendations. Those on the committee are: Howard Brewer, Brooke Rider, Vernon Webster and William Covington.

ITEM 18: ADJOURNMENT

Dan Bates made a motion to adjourn, Howard Brewer seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

JOHN LAWRENCE, CHAIRMAN - DATE

NICK KINMAN, SECRETARY - DATE

June 26, 2006